

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

MAR - 2 2018

David J. Bradley, Clerk

United States of America
Mirhad Pcs
 Adam M. DIAZ DELEON
 YOB: 1979
 COB: U.S.

Case No.

M-18-0450-N

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 3/1/2018 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section
 Title 21 USC 841
 Title 21 USC 846
 Title 21 USC 952

Offense Description
 Defendant did conspire, knowingly and intentionally possess with the intent to distribute 63.9 kilograms of Methamphetamine, a schedule II controlled substance, and attempted to import a controlled substance into the United States.

This criminal complaint is based on these facts:

See Attachment "A"

Continued on the attached sheet.

Approved by *Rolando Lemar Jr.*
ALJ

P.J.B.
Complainant's signature

Rolando Lemar Jr., HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: March 2, 2018 8:45 am

Peter E. Ormsby
Judge's signature

City and state: McAllen, Texas

Peter E. Ormsby, U.S. Magistrate Judge
Printed name and title

Attachment "A"

Before the United States Magistrate Judge, Southern District of Texas, I, Rolando Lerma Jr., Special Agent of the United States Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), being duly sworn, depose and say the following:

On March 1, 2018, Homeland Security Investigations (HSI) Special Agent (SA) Rolando Lerma Jr. received information from Rio Grande City, Texas Port of Entry (POE) Customs and Border Protection (CBP) Officers that Adam M. DIAZ DELEON, a U.S. Citizen, arrived at the Rio Grande City, Texas POE driving a Dodge Ram pickup and attempted to make entry into the United States. DIAZ DELEON was detained after CBP Officers discovered twenty-four (24) packages with a total weight of 63.9 kilograms containing a white powdery substance concealed inside the tires mounted on the Dodge Ram pickup operated by DIAZ DELEON. The substance field-tested positive for methamphetamine.

HSI SA Lerma arrived to the Rio Grande City, Texas POE to investigate and CBP Officers stated the following: DIAZ DELEON displayed signs of nervousness and provided a negative declaration to CBP Officers at primary; CBP Officers then discovered anomalies within the vehicle's tires during an X-ray scan; a narcotics detection dog then alerted to the presence of the odor of narcotics inside the vehicle; CBP Officers then extracted approximately 63.9 kilograms of methamphetamine from inside all four of the vehicle's tires.

HSI SA Lerma advised DIAZ DELEON of his Miranda Rights. DIAZ DELEON stated he understood his rights and was willing to answer questions without an attorney present. DIAZ DELEON admitted he had entered Mexico the day before and made financial arrangements with another male subject to smuggle narcotics into the United States. DIAZ DELEON said he was going to get paid \$1,000 USD to drive the pickup into the United States and another \$4,000 USD to then drive the pickup to a location in Mission, Texas. DIAZ DELEON said he then drove the Dodge Ram pickup from Mexico into the Rio Grande City, Texas POE on March 1, 2018, knowing that the vehicle contained illicit narcotics. DIAZ DELEON also admitted to helping smuggling large quantities of methamphetamine on two other occasions.

This affidavit is intended to show merely that there is sufficient probable cause to support the criminal complaint and does not purport to set forth all the knowledge of or investigation into this matter. Based upon my knowledge, training, and experience, and as further supported by the facts in this affidavit, I respectfully submit that there is probable cause to believe DIAZ DELEON violated Title 21 USC 952, Title 21 USC 846, and Title 21 USC 841.

The facts of the case were presented to AUSA Robert Guerra and he approved prosecution of DIAZ DELEON for narcotics violations under Title 21.